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PATENT COOPERATION TREATY

PCT/CA2003/001739



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13 MAY 2005

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 4161-229PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CA2003/001739	International filing date (day/month/year) 13 novembre 2003 (13.11.2003)	Priority date (day/month/year) 13 novembre 2002 (13.11.2002)
International Patent Classification (IPC) or national classification and IPC H01M 4/04, /62, 2/16, 10/40		
Applicant HYDRO-QUÉBEC		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 26 mai 2004 (26.05.2004)	Date of completion of this report 17 June 2005 (17.06.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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## I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1-19, as originally filed,  
pages \_\_\_\_\_, filed with the demand,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the claims, Nos. 1-80, as originally filed,  
Nos. \_\_\_\_\_, as amended under Article 19,  
Nos. \_\_\_\_\_, filed with the demand,  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the drawings, sheets/fig 1/5-5/5, as originally filed,  
sheets/fig \_\_\_\_\_, filed with the demand,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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## III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 1-76

because:

☐ the said international application, or the said claims Nos. \_\_\_\_\_  
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 78-80  
are so unclear that no meaningful opinion could be formed (*specify*):

See supplemental sheet.

☐ the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported  
by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 77.

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**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III.

**Examination not carried out**

Claim 77:

An examination has not been carried out with regard to claim 77, since an international search report was not established for said claim.

Claims 78-80:

Claim 78 refers back to claims 1-32 and states that "the polymeric solution" of claims 1-32 does not contain active materials or carbon. Said claim is unclear, since claims 1-32 do not appear to contain any reference to a "polymeric solution".

Claims 79 and 80 partially refer back to claim 77, which has not been the subject of an examination: an examination has therefore not been carried out for the subject matter covered by this partial reference.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims		YES
	Claims	1, 33, 64	NO
Inventive step (IS)	Claims		YES
	Claims	2-32, 34-63, 65-76	NO
Industrial applicability (IA)	Claims	1-76	YES
	Claims		NO

## 2. Citations and explanations

Reference is made to the following document:

D1: EP-A-573266

The present application does not meet the requirements of PCT Article 33(1), since the subject matter of independent claims 1, 33 and 64 does not comply with the criterion of novelty as defined by PCT Article 33(2).

Reason:

Example 18 of document D1 relates to the preparation of an electrode by mixing a graphite powder (graphite is an active material), SBR (a water-soluble binder) and carboxymethylcellulose (a water-soluble thickener) and coating a support (a copper sheet) with this mixture.

The remaining claims 2-32, 34-63 and 65-76 do not contain any additional feature which, in combination with those of any of the claims to which they refer, defines subject matter that meets the requirements of novelty and inventive step of the PCT: said features are explicitly or implicitly described in D1 or appear to constitute obvious options or alternatives.